



UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

March 2022 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

MIHAI CRISTEA,

Defendant.

CR 2:23-cr-00117-DMG

I N D I C T M E N T

[18 U.S.C. § 1344(2): Bank Fraud;
18 U.S.C. § 1028A(a)(1):
Aggravated Identity Theft; 18
U.S.C. § 1029(a)(2): Unlawful Use
of Unauthorized Access Devices; 18
U.S.C. §§ 982 and 1029: Criminal
Forfeiture]

The Grand Jury charges:

COUNT ONE THROUGH FOUR

[18 U.S.C. § 1344(2)]

A. INTRODUCTORY ALLEGATIONS

At times relevant to this Indictment:

1. The California Department of Social Services ("DSS") administered benefits to residents of California through Electronic Benefit Transfer ("EBT") accounts, including CalFresh and CalWorks benefits.

2. CalFresh benefits were intended for low-income California residents who met federal income eligibility rules and wanted to add

1 to their budget to purchase healthy and nutritious food for their
2 households. CalWorks benefits were intended for low-income
3 California residents with children who met federal income eligibility
4 rules for cash aid to use for expenses including housing, utilities,
5 or medical care.

6 3. To qualify for CalFresh or CalWorks benefits, a California
7 resident had to submit an application for the benefits, asserting
8 that the resident met certain eligibility rules.

9 4. Once a resident qualified for CalFresh or CalWorks
10 benefits, DSS administered an EBT card to the recipient that could be
11 used to access the recipient's EBT account through various financial
12 institution automated teller machines ("ATMs"), including Citibank,
13 or to make point-of-sale purchases like a credit or debit card. Upon
14 receiving the EBT card, the recipient would create a Personal
15 Identification Number ("PIN") that would be used to access the EBT
16 account with the EBT card.

17 5. DSS would normally deposit monthly EBT benefits, including
18 CalFresh and CalWorks benefits, directly into the EBT account at the
19 beginning of each month. The recipient could then use the EBT card
20 to withdraw benefits from the EBT account using ATMs, including ATMs
21 that Citibank operated.

22 6. Citibank was a financial institution that was insured by
23 the Federal Deposit Insurance Corporation.

24 7. "Skimming devices" were fraudulent devices installed at ATM
25 machines to surreptitiously steal and store card account numbers and
26 PIN information from cards, including EBT cards, that were inserted
27 into ATM machines.

1 8. "Cloned cards" were cards that have been re-encoded with
2 account numbers and PIN information that do not match the account
3 number or other visible characteristics on the front of the card.
4 The information re-encoded onto cloned cards could be obtained from
5 skimming devices.

6 9. Cloned cards could be used at ATMs to withdraw cash
7 benefits, including CalFresh and CalWorks benefits, from the
8 accountholder's EBT account.

9 B. THE SCHEME TO DEFRAUD

10 10. Beginning on a date unknown to the Grand Jury, and
11 continuing through at least on or about March 1, 2023, in Los Angeles
12 County, within the Central District of California, and elsewhere,
13 defendant MIHAI CRISTEA, knowingly and with intent to defraud,
14 devised and executed a scheme to obtain moneys, funds, assets, and
15 other property owned by and in the custody and control of financial
16 institutions, including Citibank, by means of material false and
17 fraudulent pretenses, representations, and promises, and the
18 concealment of material facts.

19 11. The fraudulent scheme operated, and was carried out, in
20 substance, in the following manner:

21 a. Defendant CRISTEA would obtain cloned EBT cards that
22 had been re-encoded with EBT account numbers, including CalFresh and
23 CalWorks account numbers, and PIN and personal identifying
24 information retrieved from skimming devices, in names other than his
25 own, that belonged to EBT beneficiaries.

26 b. Defendant CRISTEA would use the re-encoded EBT cards,
27 along with the corresponding stolen PIN numbers and personal
28 identifying information, to conduct fraudulent cash withdrawals,

including of CalFresh and CalWorks benefits, without permission or authorization from the EBT account holders. In doing so, defendant CRISTEA falsely represented that he was the EBT account holder and was otherwise an authorized user of the EBT card, and concealed that the withdrawals defendant CRISTEA made with the re-encoded EBT cards were made without the authorized user's consent.

C. EXECUTION OF THE FRAUDULENT SCHEME

12. On or about the following dates, in Los Angeles County, within the Central District of California, and elsewhere, defendant CRISTEA committed the following acts, each of which constituted an execution of the fraudulent scheme:

COUNT	DATE	ACT
ONE	March 1, 2023	Used an EBT account issued in the name of A.V. to withdraw \$980 at a Citibank ATM in Canoga Park, California
TWO	March 1, 2023	Used an EBT account issued in the name of K.C. to withdraw \$1,000 at a Citibank ATM in Canoga Park, California
THREE	March 1, 2023	Used an EBT account issued in the name of G.B. to withdraw \$1,000 at a Citibank ATM in Canoga Park, California
FOUR	March 1, 2023	Used an EBT account issued in the name of J.H. to withdraw \$1,000 at a Citibank ATM in Canoga Park, California

COUNT FIVE

[18 U.S.C. § 1028A(a)(1)]

On or about March 1, 2023, in Los Angeles County, within the Central District of California, and elsewhere, defendant MIHAI CRISTEA knowingly possessed and used, without lawful authority, a means of identification that defendant CRISTEA knew belonged to another person, namely, the PIN and account number of victim A.V., during and in relation to the offense of Bank Fraud, a felony violation of Title 18, United States Code, Section 1344(2), as charged in Count One of this Indictment.

COUNT SIX

[18 U.S.C. § 1029(a)(2)]

On or about March 1, 2023, in Los Angeles County, within the Central District of California, and elsewhere, defendant MIHAI CRISTEA, knowingly and with intent to defraud, used unauthorized access devices (as defined in Title 18, United States Code, Sections 1029(e)(1) and (3)), namely, Electronic Benefit Transfer ("EBT") account numbers belonging to persons other than defendant CRISTEA, and by such conduct obtained things of value aggregating at least \$1,000 during a one-year period, with said use having an effect on interstate and foreign commerce.

FORFEITURE ALLEGATION ONE

[18 U.S.C. § 982]

1. Pursuant to Rule 32.2(a) of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Section 982(a)(2), in the event of the defendant's conviction of the offenses set forth in any of Counts One through Five of this Indictment.

2. The defendant, if so convicted, shall forfeit to the United States of America the following:

(a) All right, title and interest in any and all property, real or personal, constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offense; and

(b) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraph (a).

3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), the defendant, if so convicted shall forfeit substitute property, up to the total value of the property described in the preceding paragraph if, as the result of any act or omission of the defendant, the property described in the preceding paragraph, or any portion thereof: (a) cannot be located upon the exercise of due diligence; (b) has been transferred, sold to or deposited with a third party; (c) has been placed beyond the jurisdiction of the court; (d) has been substantially diminished in value; or (e) has been commingled with other property that cannot be divided without difficulty.

FORFEITURE ALLEGATION TWO

[18 U.S.C. §§ 982 and 1029]

1 Pursuant to Rule 32.2(a) of the Federal Rules of Criminal
2 Procedure, notice is hereby given that the United States will seek
3 forfeiture as part of any sentence, pursuant to Title 18, United
4 States Code, Sections 982(a)(2) and 1029, in the event of the
5 defendant's conviction of the offense set forth in Count Six of this
6 Indictment.
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8
9 2. The defendant, if so convicted, shall forfeit to the United
10 States of America the following:

11 (a) All right, title, and interest in any and all
12 property, real or personal, constituting, or derived from, any
13 proceeds obtained, directly or indirectly, as a result of the
14 offense;

15 (b) Any personal property used or intended to be used to
16 commit the offense; and

17 (c) To the extent such property is not available for
18 forfeiture, a sum of money equal to the total value of the property
19 described in subparagraphs (a) and (b).

20 3. Pursuant to Title 21, United States Code, Section 853(p),
21 as incorporated by Title 18, United States Code, Sections 982(b)(1)
22 and 1029(c)(2), the defendant, if so convicted, shall forfeit
23 substitute property, up to the total value of the property described
24 in the preceding paragraph if, as the result of any act or omission
25 of the defendant, the property described in the preceding paragraph,
26 or any portion thereof: (a) cannot be located upon the exercise of
27 due diligence; (b) has been transferred, sold to or deposited with a
28 third party; (c) has been placed beyond the jurisdiction of the

1 court; (d) has been substantially diminished in value; or (e) has
2 been commingled with other property that cannot be divided without
3 difficulty.

4 A TRUE BILL

5
6 /s/
Foreperson

7
8
9 E. MARTIN ESTRADA
United States Attorney

10 MACK E. JENKINS
11 Assistant United States Attorney
Chief, Criminal Division

12 

13
14 SCOTT M. GARRINGER
Assistant United States Attorney
15 Deputy Chief, Criminal Division

16 SHAWN J. NELSON
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17 Acting Deputy Chief, General Crimes Section

18 DAVID W. WILLIAMS
Assistant United States Attorney
19 General Crimes Section